

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Sherrod, Teed, Vanderhagen and Case No. 5:17-cv-10164-JEL-
Ware, KGA

Plaintiffs,

Hon. Judith E. Levy

v.

Flint Water Cases Bellwether I

VNA and LAN,

Defendants.

_____ /

VERDICT FORM

General Instructions: Begin with Question 1 and continue in order, following the instructions set forth with each question. Additional instructions are in italics. Please read all the instructions listed for each question before proceeding. Depending on your answers, there may be questions that you will leave blank.

We, the members of the jury, unanimously answer the questions submitted as follows:

I. Standard of Care

Question 1:

Did Defendant Lockwood, Andrews & Newnam (LAN) breach the standard of care for a professional water engineer?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 2.*

Question 2:

Did Defendant Veolia North America (VNA) breach the standard of care for a professional water engineer?

Yes _____ No _____

- *If you answered “YES” to both of Questions 1 and 2, GO ON to Question 3 and follow the instructions before answering.*
- *If you answered “YES” to at least one, but not both of Questions 1 or 2, proceed as follows:*
 - *If you answered “NO” to either of Questions 1 or 2, then STOP your deliberations as to that defendant only. You have reached a verdict as to that defendant only.*
 - *GO ON to Question 3 and follow the instructions before answering.*
- *If you answered “NO” to both of Questions 1 and 2, STOP your deliberations and inform the Court officer that you have reached a verdict.*

II. Injury

Question 3(a): Was Plaintiff Emir Sherrod injured?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 3(b).*

Question 3(b): Was Plaintiff Aundrea Teed injured?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 3(c).*

Question 3(c): Was Plaintiff Riley Vanderhagen injured?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 3(d).*

Question 3(d): Was Plaintiff Daylaana Ware injured?

Yes _____ No _____

- *If you answered “YES” to all of Questions 3(a) through 3(d), GO ON to Question 4 and follow the instructions before answering each question.*
- *If you answered “YES” to at least one, but not all of Questions 3(a) through 3(d), proceed as follows:*
 - *If you answered “NO” to any of Questions 3(a) through (d), then STOP your deliberations as to that plaintiff only. You have reached a verdict as to that plaintiff.*
 - *GO ON to Question 4 and follow the instructions before answering each question.*
- *If you answered “NO” to all of Questions 3(a) through 3(d), STOP your deliberations and inform the Court officer that you have reached a verdict.*

III. Causation

Question 4(a): *If you answered “YES” to both Question 1 and Question 3(a), above, answer the following:* Was LAN’s breach of the standard of care a proximate cause of Emir Sherrod’s injury?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 4(b).*

Question 4(b): *If you answered “YES” to both Question 1 and Question 3(b), above, answer the following: Was LAN’s breach of the standard of care a proximate cause of Aundreya Teed’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 4(c).*

Question 4(c): *If you answered “YES” to both Question 1 and Question 3(c), above, answer the following: Was LAN’s breach of the standard of care a proximate cause of Riley Vanderhagen’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 4(d).*

Question 4(d): *If you answered “YES” to both Question 1 and Question 3(d), above, answer the following: Was LAN’s breach of the standard of care a proximate cause of Daylaana Ware’s injury?*

Yes _____ No _____

- *If you answered “YES” to all of Questions 4(a) through 4(d), GO ON to Question 5 and follow the instructions before answering each question.*
- *If you answered “YES” to at least one, but not all of Questions 4(a) through 4(d), proceed as follows:*
 - *If you answered “NO” to any of Questions 4(a) through 4(d), then STOP your deliberations as to that plaintiff only as to LAN only. You have reached a verdict as to that plaintiff and LAN.*
 - *GO ON to Question 5 and follow the instructions before answering each question.*

- *If you answered “NO” to all of Questions 4(a) through 4(d) you have reached a verdict as to all plaintiffs and LAN. GO ON to Question 5.*

Question 5(a): *If you answered “YES” to both Question 2 and Question 3(a), above, answer the following: Was VNA’s breach of the standard of care a proximate cause of Emir Sherrod’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 5(b).*

Question 5(b): *If you answered “YES” to both Question 2 and Question 3(b), above, answer the following: Was VNA’s breach of the standard of care a proximate cause of Aundrea Teed’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 5(c).*

Question 5(c): *If you answered “YES” to both Question 2 and Question 3(c), above, answer the following: Was VNA’s breach of the standard of care a proximate cause of Riley Vanderhagen’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 5(d).*

Question 5(d): *If you answered “YES” to both Question 2 and Question 3(d), above, answer the following: Was VNA’s breach of the standard of care a proximate cause of Daylaana Ware’s injury?*

Yes _____ No _____

- *If you answered “YES” to all of Questions 5(a) through 5(d), GO ON to Question 6 and follow the instructions before answering each question.*
- *If you answered “YES” to at least one, but not all of Questions 5(a) through 5(d), proceed as follows:*
 - *If you answered “NO” to any of Questions 5(a) through 5(d), then STOP your deliberations as to that plaintiff only as to VNA only. You have reached a verdict as to that plaintiff and VNA.*
 - *GO ON to Question 6 and follow the instructions before answering each question.*
- *If you answered “NO” to all of Questions 5(a) through 5(d) you have reached a verdict as to all plaintiffs and VNA. Proceed as follows:*
 - *If you answered “NO” to all of Questions 4(a) through 4(d), then STOP your deliberations and inform the Court officer that you have reached a verdict.*
 - *If you answered “NO” to at least one, but not all of Questions 4(a) through 4(d), GO ON to Question 6.*
 - *If you answered “YES” to all of Questions 4(a) through 4(d), GO ON to Question 6.*

IV. LAD Liability

Question 6: *If you have reached a verdict as to LAN only, SKIP Question 6 and GO ON to Question 7.*

Did LAD exercise or retain the right to exercise day-to-day control or supervision of the specific work activities of Warren Green and Jeff Hansen in connection with their work on the Flint Water Treatment Plant?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” you have reached a verdict as to Defendant LAD only on all plaintiffs’ claims. GO ON to Question 7.*

V. Damages

Question 7: *If you have reached a verdict as to Emir Sherrod, SKIP Question 7. GO ON to Question 8 and follow the instructions before answering.*

Question 7(a): If you find that Emir Sherrod has sustained damages for mental anguish, denial of social pleasure and enjoyment, embarrassment or humiliation to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 7(b): If you find that Emir Sherrod has sustained damages for disability including the loss or impairment of neurocognitive function to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 7(c): If you find with reasonable certainty that Emir Sherrod will sustain damages for mental anguish, denial of social pleasure and enjoyment, embarrassment or humiliation in the future, give the total amount of damages for each year in which he will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$

Year	Amount	Year	Amount
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$

Year	Amount	Year	Amount
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$
2091	\$	2092	\$

Question 7(d): If you find with reasonable certainty that Emir Sherrod will sustain damages in the future for disability including the loss or impairment of neurocognitive function, give the total amount of damages for each year in which he will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$

Year	Amount	Year	Amount
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$

Year	Amount	Year	Amount
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$
2091	\$	2092	\$

Question 7(e): If you find with reasonable certainty that Emir Sherrod will sustain damages for loss of earning capacity in the future after the plaintiff has reached the age of 18, give the total amount of damages for each year in which he will sustain damages:

Answer:

Year	Amount	Year	Amount
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$

Year	Amount	Year	Amount
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$

Year	Amount	Year	Amount
2075	\$	2076	\$
2077	\$	2078	\$

- *GO ON to Question 8. Follow the instructions before answering each question.*

Question 8: *If you have reached a verdict as to Aundrea Teed, SKIP Question 8. GO ON to Question 9 and follow the instructions before answering.*

Question 8(a): If you find that Aundrea Teed has sustained damages for mental anguish, denial of social pleasure and enjoyment, embarrassment or humiliation to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 8(b): If you find that Aundrea Teed has sustained damages for disability including the loss or impairment of neurocognitive function to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 8(c): If you find with reasonable certainty that Aundrea Teed will sustain damages for mental anguish, denial of social pleasure and enjoyment, embarrassment or humiliation in the future, give the total amount of damages for each year in which she will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$

Year	Amount	Year	Amount
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$

Year	Amount	Year	Amount
2091	\$	2092	\$
2093	\$	2094	\$
2095	\$		

Question 8(d): If you find with reasonable certainty that Aundrea Teed will sustain damages in the future for disability including the loss or impairment of neurocognitive function, give the total amount of damages for each year in which she will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$

Year	Amount	Year	Amount
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$

Year	Amount	Year	Amount
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$
2091	\$	2092	\$
2093	\$	2094	\$
2095	\$		

Question 8(e): If you find with reasonable certainty that Aundreya Teed will sustain damages for loss of earning capacity in the future after the plaintiff has reached the age of 18, give the total amount of damages for each year in which she will sustain damages:

Answer:

Year	Amount	Year	Amount
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$

Year	Amount	Year	Amount
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$

- *GO ON to Question 9. Follow the instructions before answering each question.*

Question 9: *If you have reached a verdict as to Riley Vanderhagen, SKIP Question 9. GO ON to Question 10 and follow the instructions before answering.*

Question 9(a): If you find that Riley Vanderhagen has sustained damages for mental anguish, denial of social pleasure and enjoyment, embarrassment or humiliation to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 9(b): If you find that Riley Vanderhagen has sustained damages for disability including the loss or impairment of neurocognitive function to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 9(c): If you find with reasonable certainty that Riley Vanderhagen will sustain damages for mental anguish, denial of social pleasure and enjoyment, embarrassment or humiliation in the future, give the total amount of damages for each year in which she will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$

Year	Amount	Year	Amount
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$

Year	Amount	Year	Amount
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$
2091	\$	2092	\$
2093	\$	2094	\$

Question 9(d): If you find with reasonable certainty that Riley Vanderhagen will sustain damages in the future for disability including the loss or impairment of neurocognitive function, give the total amount of damages for each year in which she will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$

Year	Amount	Year	Amount
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$

Year	Amount	Year	Amount
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$
2091	\$	2092	\$

Year	Amount	Year	Amount
2093	\$	2094	\$

Question 9(e): If you find with reasonable certainty that Riley Vanderhagen will sustain damages for loss of earning capacity in the future after the plaintiff has reached the age of 18, give the total amount of damages for each year in which she will sustain damages:

Answer:

Year	Amount	Year	Amount
2026	\$	2027	\$
2028	\$	2029	\$
2030	\$	2031	\$
2032	\$	2033	\$
2034	\$	2035	\$
2036	\$	2037	\$
2038	\$	2039	\$
2040	\$	2041	\$
2042	\$	2043	\$
2044	\$	2045	\$
2046	\$	2047	\$

Year	Amount	Year	Amount
2048	\$	2049	\$
2050	\$	2051	\$
2052	\$	2053	\$
2054	\$	2055	\$
2056	\$	2057	\$
2058	\$	2059	\$
2060	\$	2061	\$
2062	\$	2063	\$
2064	\$	2065	\$
2066	\$	2067	\$
2068	\$	2069	\$
2070	\$	2071	\$
2072	\$	2073	\$
2074	\$	2075	\$

- *GO ON to Question 10. Follow the instructions before answering each question.*

Question 10: *If you have reached a verdict as to Daylaana Ware, SKIP Question 10, and follow the instruction after Question 10(e).*

Question 10(a): If you find that Daylaana Ware has sustained damages for mental anguish, denial of social pleasure and enjoyment, embarrassment, humiliation to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 10(b): If you find that Daylaana Ware has sustained damages for disability including the loss or impairment of neurocognitive function to the present date, give the total amount of damages to the present date:

Answer: \$ _____

Question 10(c): If you find with reasonable certainty that Daylaana Ware will sustain damages for mental anguish, denial of social pleasure and enjoyment, embarrassment or humiliation in the future, give the total amount of damages for each year in which she will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$

Year	Amount	Year	Amount
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$

Year	Amount	Year	Amount
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$
2091	\$	2092	\$
2093	\$	2094	\$
2095	\$	2096	\$
2097	\$	2098	\$
2099	\$		

Question 10(d): If you find with reasonable certainty that Daylaana Ware will sustain damages in the future for disability including the loss or impairment of neurocognitive function, give the total amount of damages for each year in which she will sustain damages:

Answer:

For the balance of 2022 \$ _____

Year	Amount	Year	Amount
2023	\$	2024	\$
2025	\$	2026	\$
2027	\$	2028	\$
2029	\$	2030	\$
2031	\$	2032	\$
2033	\$	2034	\$
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$

Year	Amount	Year	Amount
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$

Year	Amount	Year	Amount
2081	\$	2082	\$
2083	\$	2084	\$
2085	\$	2086	\$
2087	\$	2088	\$
2089	\$	2090	\$
2091	\$	2092	\$
2093	\$	2094	\$
2095	\$	2096	\$
2097	\$	2098	\$
2099	\$		

Question 10(e): If you find with reasonable certainty that Daylaana Ware will sustain damages for loss of earning capacity in the future after the plaintiff has reached the age of 18, give the total amount of damages for each year in which she will sustain damages:

Answer:

Year	Amount	Year	Amount
2031	\$	2032	\$
2033	\$	2034	\$

Year	Amount	Year	Amount
2035	\$	2036	\$
2037	\$	2038	\$
2039	\$	2040	\$
2041	\$	2042	\$
2043	\$	2044	\$
2045	\$	2046	\$
2047	\$	2048	\$
2049	\$	2050	\$
2051	\$	2052	\$
2053	\$	2054	\$
2055	\$	2056	\$
2057	\$	2058	\$
2059	\$	2060	\$
2061	\$	2062	\$
2063	\$	2064	\$
2065	\$	2066	\$
2067	\$	2068	\$

Year	Amount	Year	Amount
2069	\$	2070	\$
2071	\$	2072	\$
2073	\$	2074	\$
2075	\$	2076	\$
2077	\$	2078	\$
2079	\$	2080	\$

- *If you awarded damages for at least one of Questions 7(a) through 10(e), GO ON to Question 11 and follow the instructions before answering each question.*
- *If you did not award damages for any of Questions 7(a) through 10(e), STOP your deliberations and inform the Court officer that you have reached a verdict.*

VI. Non-Party Fault

Question 11(a): Did Former Governor Richard Snyder breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered “NO,” SKIP Questions 11(b) through 11(e) and GO ON to Question 12.*
- *If you answered “YES” to Question 11(a), answer Questions 11(b) through 11(d) and follow the directions before answering each question.*

Question 11(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 11(c).* Was Governor Snyder's breach of a duty of care a proximate cause of Emir Sherrod's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 11(c).*

Question 11(c): *If you have reached a verdict as to Aundrea Teed, SKIP this question and GO ON to Question 11(d).* Was Governor Snyder's breach of a duty of care a proximate cause of Aundrea Teed's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 11(d).*

Question 11(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 11(e).* Was Governor Snyder's breach of a duty of care a proximate cause of Riley Vanderhagen's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 11(e).*

Question 11(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 12.* Was Governor Snyder's breach of a duty of care a proximate cause of Daylaana Ware's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 12.*

Question 12(a): Did Emergency Manager Gerald Ambrose breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered “NO,” SKIP Questions 12(b) through 12(e) and GO ON to Question 13.*
- *If you answered “YES” to Question 12(a), answer Questions 12(b) through 12(d) and follow the directions before answering each question.*

Question 12(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 12(c).* Was Mr. Ambrose’s breach of a duty of care a proximate cause of Emir Sherrod’s injury?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 12(c).*

Question 12(c): *If you have reached a verdict as to Aundrea Teed, SKIP this question and GO ON to Question 12(d).* Was Mr. Ambrose’s breach of a duty of care a proximate cause of Aundrea Teed’s injury?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 12(d).*

Question 12(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 12(e).* Was Mr. Ambrose’s breach of a duty of care a proximate cause of Riley Vanderhagen’s injury?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 12(e).*

Question 12(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 13. Was Mr. Ambrose's breach of a duty of care a proximate cause of Daylaana Ware's injury?*

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 13.*

Question 13(a): Did Emergency Manager Darnell Earley breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered "NO," SKIP Questions 13(b) through 13(e) and GO ON to Question 14.*
- *If you answered "YES" to Question 13(a), answer Questions 13(b) through 13(d) and follow the directions before answering each question.*

Question 13(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 13(c). Was Mr. Earley's breach of a duty of care a proximate cause of Emir Sherrod's injury?*

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 13(c).*

Question 13(c): *If you have reached a verdict as to Aundreya Teed, SKIP this question and GO ON to Question 13(d). Was Mr. Earley's breach of a duty of care a proximate cause of Aundreya Teed's injury?*

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 13(d).*

Question 13(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 13(e).* Was Mr. Earley's breach of a duty of care a proximate cause of Riley Vanderhagen's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 13(e).*

Question 13(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 14.* Was Mr. Earley's breach of a duty of care a proximate cause of Daylaana Ware's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 14.*

Question 14(a): Did Emergency Manager Ed Kurtz breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered "NO," SKIP Questions 14(b) through 14(e) and GO ON to Question 15.*
- *If you answered "YES" to Question 14(a), answer Questions 14(b) through 14(e) and follow the directions before answering each question.*

Question 14(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 14(c).* Was Mr. Kurtz's breach of a duty of care a proximate cause of Emir Sherrod's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 14(c).*

Question 14(c): *If you have reached a verdict as to Aundreya Teed, SKIP this question and GO ON to Question 14(d). Was Mr. Kurtz's breach of a duty of care a proximate cause of Aundreya Teed's injury?*

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 14(d).*

Question 14(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 14(e). Was Mr. Kurtz's breach of a duty of care a proximate cause of Riley Vanderhagen's injury?*

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 14(e).*

Question 14(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 15. Was Mr. Kurtz's breach of a duty of care a proximate cause of Daylaana Ware's injury?*

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 15.*

Question 15(a): Did the State of Michigan (Michigan Department of Environmental Quality (MDEQ), Michigan Department of Treasury, and Michigan Department of Health and Human Services (MDHHS)) breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered "NO," SKIP Questions 15(b) through 15(e) and GO ON to Question 16.*

- *If you answered “YES” to Question 15(a), answer Questions 15(b) through 15(d) and follow the directions before answering each question.*

Question 15(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 15(c). Was the State’s breach of a duty of care a proximate cause of Emir Sherrod’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 15(c).*

Question 15(c): *If you have reached a verdict as to Aundrea Teed, SKIP this question and GO ON to Question 15(d). Was the State’s breach of a duty of care a proximate cause of Aundrea Teed’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 15(d).*

Question 15(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 15(e). Was the State’s breach of a duty of care a proximate cause of Riley Vanderhagen’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 15(e).*

Question 15(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 16. Was the State’s breach of a duty of care a proximate cause of Daylaana Ware’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 16.*

Question 16(a): Did the United States Environmental Protection Agency (EPA), breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered “NO,” SKIP Questions 16(b) through 16(e) and GO ON to Question 17.*
- *If you answered “YES” to Question 16(a), answer Questions 16(b) through 16(d) and follow the directions before answering each question.*

Question 16(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 16(c).* Was the EPA’s breach of a duty of care a proximate cause of Emir Sherrod’s injury?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 16(c).*

Question 16(c): *If you have reached a verdict as to Aundrea Teed, SKIP this question and GO ON to Question 16(d).* Was the EPA’s breach of a duty of care a proximate cause of Aundrea Teed’s injury?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 16(d).*

Question 16(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 16(e).* Was the EPA’s breach of a duty of care a proximate cause of Riley Vanderhagen’s injury?

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 16(e).*

Question 16(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 17. Was the EPA’s breach of a duty of care a proximate cause of Daylaana Ware’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 17.*

Question 17(a): Did Mayor Dayne Walling breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered “NO,” SKIP Questions 17(b) through 17(e) and GO ON to Question 19.*
- *If you answered “YES” to Question 17(a), answer Questions 17(b) through 17(d) and follow the directions before answering each question.*

Question 17(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 17(c). Was Mayor Walling’s breach of a duty of care a proximate cause of Emir Sherrod’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 17(c).*

Question 17(c): *If you have reached a verdict as to Aundrea Teed, SKIP this question and GO ON to Question 17(d). Was Mayor Walling’s breach of a duty of care a proximate cause of Aundrea Teed’s injury?*

Yes _____ No _____

- *Whether you answered “YES” or “NO,” GO ON to Question 17(d).*

Question 17(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 17(e).* Was Mayor Walling's breach of a duty of care a proximate cause of Riley Vanderhagen's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 17(e).*

Question 17(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 18.* Was Mayor Walling's breach of a duty of care a proximate cause of Daylaana Ware's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 18.*

Question 18(a): Did the City of Flint breach a duty of care owed to the plaintiffs?

Yes _____ No _____

- *If you answered "NO," SKIP Questions 18(b) through 18(e) and GO ON to Question 19.*
- *If you answered "YES" to Question 18(a), answer Questions 18(b) through 18(d) and follow the directions before answering each question.*

Question 18(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 18(c).* Was the City of Flint's breach of a duty of care a proximate cause of Emir Sherrod's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 18(c).*

Question 18(c): *If you have reached a verdict as to Aundrea Teed, SKIP this question and GO ON to Question 18(d).* Was the City of Flint's breach of a duty of care a proximate cause of Aundrea Teed's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 18(d).*

Question 18(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 18(e).* Was the City of Flint's breach of a duty of care a proximate cause of Riley Vanderhagen's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 18(e).*

Question 18(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 19.* Was the City of Flint's breach of a duty of care a proximate cause of Daylaana Ware's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 19.*

Question 19(a): Did Rowe Professional Services (Rowe) breach the standard of care for a professional engineer?

Yes _____ No _____

- *If you answered "NO," SKIP Questions 19(b) through 19(e) and GO ON to Question 20.*
- *If you answered "YES" to Question 19(a), answer Questions 19(b) through 19(d) and follow the directions before answering each question.*

Question 19(b): *If you have reached a verdict as to Emir Sherrod, SKIP this question and GO ON to Question 19(c).* Was Rowe's breach of the standard of care for a professional engineer a proximate cause of Emir Sherrod's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 19(c).*

Question 19(c): *If you have reached a verdict as to Aundrea Teed, SKIP this question and GO ON to Question 19(d).* Was Rowe's breach of the standard of care for a professional engineer a proximate cause of Aundrea Teed's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 19(d).*

Question 19(d): *If you have reached a verdict as to Riley Vanderhagen, SKIP this question and GO ON to Question 19(e).* Was Rowe's breach of the standard of care for a professional engineer a proximate cause of Riley Vanderhagen's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 19(e).*

Question 19(e): *If you have reached a verdict as to Daylaana Ware, SKIP this question and GO ON to Question 20.* Was Rowe's breach of the standard of care for a professional engineer a proximate cause of Daylaana Ware's injury?

Yes _____ No _____

- *Whether you answered "YES" or "NO," GO ON to Question 20.*

VII. Allocation of Fault

Question 20:

- *If you answered “NO” to any of the following Questions, then you must place a zero in the row for Defendant LAN: Question 1; or all of Questions 4(a) through 4(d).*
- *If you answered “NO” to any of the following Questions, then you must place a Zero in the row for Defendant VNA: Question 2; or all of Questions 5(a) through 5(d).*
- *If you answered “NO” to the following questions related to non-parties, then you have concluded that that non-party is not at fault. You must place a zero for the percentage of fault row in the chart below that corresponds with that non-party and that plaintiff.*
 - *Specifically, if you answered “NO” to Question 11(a) then you must place a zero in the row for Governor Snyder for all plaintiffs.*
 - *If you answered “NO” to all of Questions 11(b) through 11(e), then you must place a zero in the row for Governor Snyder for the plaintiff who corresponds to the question that you answered “NO.”*
 - *If you answered “NO” to Question 12(a) then you must place a zero in the row for Mr. Ambrose for all plaintiffs.*
 - *If you answered “NO” to all of Questions 12(b) through 12(e), then you must place a zero in the row for Mr. Ambrose for the plaintiff who corresponds to the question that you answered “NO.”*
 - *If you answered “NO” to Question 13(a) then you must place a zero in the row for Mr. Earley for all plaintiffs.*
 - *If you answered “NO” to all of Questions 13(b) through 13(e), then you must place a zero in the row for Mr. Earley for the plaintiff who corresponds to the question that you answered “NO.”*

- *If you answered “NO” to Question 14(a) then you must place a zero in the row for Mr. Kurtz for all plaintiffs.*
- *If you answered “NO” to all of Questions 14(b) through 14(e), then you must place a zero in the row for Mr. Kurtz for the plaintiff who corresponds to the question that you answered “NO.”*
- *If you answered “NO” to Question 15(a) then you must place a zero in the row for the State for all plaintiffs.*
- *If you answered “NO” to all of Questions 15(b) through 15(e), then you must place a zero in the row for the State for the plaintiff who corresponds to the question that you answered “NO.”*
- *If you answered “NO” to Question 16(a) then you must place a zero in the row for the EPA for all plaintiffs.*
- *If you answered “NO” to all of Questions 16(b) through 16(e), then you must place a zero in the row for the EPA for the plaintiff who corresponds to the question that you answered “NO.”*
- *If you answered “NO” to Question 17(a) then you must place a zero in the row for Mayor Walling for all plaintiffs.*
- *If you answered “NO” to all of Questions 17(b) through 17(e), then you must place a zero in the row for Mayor Walling for the plaintiff who corresponds to the question that you answered “NO.”*
- *If you answered “NO” to Question 18(a) then you must place a zero in the row for the City of Flint for all plaintiffs.*
- *If you answered “NO” to all of Questions 18(b) through 18(e), then you must place a zero in the row for the City of Flint for the plaintiff who corresponds to the question that you answered “NO.”*
- *If you answered “NO” to Question 19(a) then you must place a zero in the row for Rowe for all plaintiffs.*

- *If you answered “NO” to all of Questions 19(b) through 19(e), then you must place a zero in the row for Rowe for the plaintiff who corresponds to the question that you answered “NO.”*
- *If you answered “YES” to any of the following Questions: Questions 4(a), 4(b), 4(c), 4(d), 5(a), 5(b), 5(c), 5(d), 11(b), 11(c), 11(d), 11(e), 12(b), 12(c), 12(d), 12(e), 13(b), 13(c), 13(d), 13(e), 14(b), 14(c), 14(d), 14(e), 15(b), 15(c), 15(d), 15(e), 16(b), 16(c), 16(d), 16(e), 17(b), 17(c), 17(d), 17(e), 18(b), 18(c), 18(d), 18(e), 19(b), 19(c), 19(d), or 19(e), then answer the following question.*

Enter the percentage of fault attributable to each Defendant or non-party that you have found is at fault. The total must add up to 100%.

Defendant or Non-Party	Percentage of Fault (Emir Sherrod)	Percentage of Fault (Aundreya Teed)	Percentage of Fault (Daylaana Ware)	Percentage of Fault (Riley Vanderhagen)
LAN	%	%	%	%
VNA	%	%	%	%
Former Governor Richard Snyder	%	%	%	%
Emergency Manager Gerald Ambrose	%	%	%	%
Emergency Manager Darnell Earley	%	%	%	%
Emergency Manager Ed Kurtz	%	%	%	%
The State of Michigan (the Michigan Department of Environmental Quality (MDEQ); the Michigan Department of the Treasury; and the Michigan Department of Health and Human Services (MDHHS))	%	%	%	%
The United States Environmental Protection Agency (EPA)	%	%	%	%
Mayor Dayne Walling	%	%	%	%
The City of Flint	%	%	%	%
Rowe Professional Services (Rowe)	%	%	%	%
Total =	100%	100%	100%	100%

/s/ _____

Jury Foreperson

Dated: _____, 2022